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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/611,915

07/03/2003

Maelig Pommeret

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06/01/2005

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EXAMINER

SEMBER, THOMAS M

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/611,915	Applicant(s) POMMERET ET AL.	
	Examiner Thomas M. Sember	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/06/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: In claim 8, "its outer surface" lacks a proper antecedent basis. Furthermore, even though claim 8 depends on claim 1 at the end of the limitation, it should precede the limitation. Appropriate correction is required.

AS best understood the following prior art rejections apply:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by EP0945672. EP0945672 discloses a signaling device for a motor vehicle. The signaling device is constituted by a skin of translucent material presenting an outside face 24b to be seen from outside the vehicle when said device is mounted on the vehicle, and an inside face opposite from the outside face, the translucent skin including at least one rib 20 projecting from its inside face, the rib being made integrally with the skin and out of the same translucent material as the skin, wherein the thickness of the rib (measured from outside face to inside face) is greater than the thickness of the translucent skin. Regarding claim 2, the rib is shaped to reflect light rays penetrating the rib through one of its faces so that they travel towards the outside face of the skin.

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Regarding claim 3, the rib includes a face opposite from the skin that is divided into facets in a staircase configuration so as to cause light rays penetrating into the rib to be reflected towards the outside face. Regarding claim 4, the device is arranged to be mounted on a bodywork part. Regarding claim 5, the translucent skin is convex over the rib, being formed with two curved flanks that run substantially into a plane containing the face of the rib that is opposite from the skin. Regarding claim 7, the rib has fixing means for co-operating with complementary means carried by a bodywork part of the vehicle.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwanz et al. Schwanz et al discloses a signaling device for a motor vehicle. The signaling device is constituted by a skin 9 of translucent material presenting an outside face 10 to be seen from outside the vehicle when said device is mounted on the vehicle, and an inside face opposite from the outside face, the translucent skin including at least one rib 28 projecting from its inside face, the rib being made integrally with the skin and out of

the same translucent material as the skin, wherein the thickness of the rib (measured from outside face to inside face) is greater than the thickness of the translucent skin. Regarding claim 2, the rib is shaped to reflect light rays penetrating the rib through one of its faces so that they travel towards the outside face of the skin. Regarding claim 3, the rib includes a face opposite from the skin that is divided into facets in a staircase configuration so as to cause light rays penetrating into the rib to be reflected towards the outside face. Regarding claim 4, the device is arranged to be mounted on a bodywork part. Regarding claim 5, the translucent skin is convex over the rib, being formed with two curved flanks that run substantially into a plane containing the face of the rib that is opposite from the skin. Regarding claim 6, the device including means 18 for fixing light sources 15 to the skin and ribs. Regarding claim 7, the rib has fixing means for co-operating with complementary means carried by a bodywork part of the vehicle. AS best understood, regarding claim 8, an outside surface of bodywork λ includes a housing for receiving a signaling device (side flashing lamp... see column 4, lines 4-6). Regarding claim 9, the housing is recessed and presents thickness substantially equal to the thickness of the edges of the translucent skin, the outline of said housing being dimensioned in such a manner as to contain the skin exactly so that its edges lie flush with the bodywork part at the periphery of the housing.


Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dolling et al discloses a light diffusion-preventing device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-272-2878. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M Sember
Primary Examiner
Art Unit 2875
